

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA)
)
 v.) Criminal No. 04-50 Erie
)
JOHN JOSEPH PRICE, JR.)

**MOTION TO EXTEND THE TIME FOR THE
FILING OF PRETRIAL MOTIONS AND TO CONTINUE TRIAL DATE**

AND NOW, comes the defendant, JOHN JOSEPH PRICE, JR., by his attorney, Thomas W. Patton, Assistant Federal Public Defender, and respectfully moves this Honorable Court for an Extension of Time to File Pretrial Motions and to Continue Trial Date, and in support thereof sets forth as follows:

1. The defendant, John Joseph Price, Jr., has been charged in a seven-count indictment with a violations of Title 21, U.S.C. §§ 841(a)(1), 841(b)(1)(C), 841(c)(1) and 846; manufacture methamphetamine, possession of List I & II chemicals and attempt to manufacture methamphetamine.

2. Pursuant to an Order of Court dated November 18, 2005, certain types of pretrial motions were due on December 19, 2005.

3. Mr. Price is listed on the trial calendar for the term beginning January 23, 2006.

4. Additional time is needed to complete counsel's investigation of the facts and law before informed decisions can be made concerning the filing of pretrial motions.

5. Accordingly, counsel requests an additional thirty (30) within which to file pretrial motions and requests that the case be rescheduled for the next available trial term.

WHEREFORE, defendant, John Joseph Price, Jr., respectfully requests an extension of thirty (30) days to file pretrial motions and that the case be continued to the next available trial term.

Respectfully submitted,

/s/ Thomas W. Patton

Thomas W. Patton

Assistant Federal Public Defender

PA ID #88653